IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2165 OF 2007

Ananda Maruti More ...Petitioner

vs.

Maharashtra Rajya Machhimar Sahakari Sangh Ltd. and others ...Respondents

Mr.Sampatrao Pawar for the Petitioner
Ms Vaidehi Mhaispurkar, A.G.P. for State
Mr.B.K.Raje for Respondent No.1.

CORAM: A.S.OKA,J.
DATE : APRIL 9,2007.

P.C.:

1. Heard learned Counsel for the Petitioner and the learned A.G.P. for State. The challenge in the Petition under Article 227 of Constitution of India is to the order dated 9th August 2006 passed by the third Respondent. By the said order, interim relief has been granted by the third Respondent pending a Revision Application under section 154 of Maharashtra Cooperative Societies Act,1960. The learned Advocate for the Petitioner pointed out that on 26th October 2006, the Petitioner has applied for impleading himself as a party respondent to the pending the Revision Application and the said Application is not being decided by the Revisional Authority. The learned Advocate for the first Respondent submitted that there is nothing on record to show that such Application has been made by the Petitioner. The learned A.G.P. states that the Revisional Authority is in position to decide the Application within a period of two weeks from

today.

2. In my view, the Application made by the Petitioner, if pending, will have to be decided immediately. If the Petitioner is impleaded as a party Respondent, he can always take out appropriate Application for vacating interim relief. At this stage, it is not necessary to entertain this Writ Petition and the same is disposed of by passing the following order :

i) Application for impleadment as a party Respondent made by the Petitioner, if pending, shall be decided by the third Respondent within a period of two weeks from today.

ii) If the Petitioner is impleaded as a party, it will be always open for the Petitioner to apply for vacating interim relief.

iii) All contentions of the parties on merits of the Revision Application as well as on the merits of the Application dated 26th October 2006 made by the Petitioner are expressly kept open. There will be no order as to costs.

iv) Parties to act upon an authenticated copy of this

order.

JUDGE